IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE B.PRAKASH RAO
WRIT PETITION NO : 7315 of 1999

Between:

Puthalapattu Sreenivasulu,
S/o P.Ramaiah, 52 years,
R/o Banda Pakala, Pakala Mandal, Chittoor District.

.....
PETITIONER

AND

1. The District Collector, Chittoor.
2. The Revenue Divisional Officer, Tirupati.
3. The Mandal Revenue Officer, Pakala, Chittoor District.
4. T.Murali, S/o Siddaiah, R/o Utlavaripalle Village,
   Pakala Mandal, Chittoor District.
5. P.Damodaram, S/o Mogilaiah, R/o Banda Pakala Village,
   Pakala Mandal, Chittoor District.
6. T.Munikrishna, S/o T.Gangulaiah,
   R/o Talaripalle Village, Pakala Mandal,
   Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus declaring the proceedings (1) Roc.c/4503/98, dated 03-02-1999; (2) D.Dis.No.C/4503/98, dated 03-02-1999; and (3) D.Dis.C/3505/98, dated 03-02-1999 issued by the second

respondent in favour of the respondents 4 to 6 herein respectively, as illegal, improper, unjust and contrary to the orders of this Hon'ble Court dated 09-02-1999 in W.P.No.2389 of 1999.

Counsel for the Petitioner:MR.P.GANGAIAH NAIDU

Counsel for the Respondent Nos.1 to 3: GP FOR CIVIL SUPPLIES

Counsel for the Respondent Nos.4 to 6: None appeared,

AND

WRIT PETITION NO : 25709 of 1999

Between:

P.C.Srinivasulu, S/o Ramaiah,
R/o Bandakala Harijanawada, Pakala mandal, Chittor Dist.

.....
PETITIONER

AND

1 The District collector, Chittor.
2 The Joint Collector, Chittor.
3 Revenue Divisional Officer, Tirupati, Chittoor Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or direction more particularly one in the nature of writ of Mandamus declaring the proceedings of the third respondents dt.18-10-1997 vide proceedings D.Dis.C/2698/97 dt.18-10-1997, proceedings of the 2nd respondent dt.10-12-97 vide proceedings D.Dis.(S1) 3602/97 dated 10-12-1997 and the proceedings of the 1st respondent dt.18-8-1999 vide proceedings D.Dis.S1/4156/99 dt.18-9-1999 as illegal, improper, unjust and contrary to law and in utter violation of principles of natural justice and consequently set-aside those proceedings in the interest of justice.

Counsel for the Petitioner:MR.P.GANGAIAH NAIDU

Counsel for the Respondents: G.P. FOR CIVIL SUPPLIES.

The Court made the following :

-

-

-

-

-

-

-

-

-

-

COMMON ORDER:

Since the petitioner is common in both the matters, they are being taken up together for disposal.

In the first writ petition petitioner seeks to assail the impugned action on the part of the respondents herein in bifurcating his fair price shop and allotting the same to the contesting respondents. Though several contentions have been urged on behalf of the petitioner, however, having regard to the principles laid down by the Supreme Court in DISTRICT COLLECTOR AND ANOTHER v. B.SURESH[1], the petitioner has no right to challenge the same. Hence, following the said decision, I do not find any merits in the Writ Petition No.7315 of 1999 and the same is, accordingly, dismissed.

In another Writ Petition No.25709 of 1999, the petitioner seeks to assail the impugned action on the part of the respondents herein in canceling the authorization on the ground that petitioner is not

having proper renewal and there is no any subsisting authorization in his favour. Both the authorities taking into consideration the explanation filed, did not accept the same.

Having regard to such finding arrived at by both the authorities, I do not find any merits in the Writ Petition No.25709 of 1999 and the same is, accordingly, dismissed. No costs in both the writ petitions.

_____

B.PRAKASH RAO, J.

Dated 13-08-2004
SKMR

To
1. The District Collector, Chittoor.
2. The Revenue Divisional Officer, Tirupati.
3. The Mandal Revenue Officer, Pakala, Chittoor District.
4. The Joint Collector, Chittoor.
5.2CCs to G.P. for Civil Supplies, High Court of A.P., Hyderabad.(OUT).
6.2CD copies

---

[1] 2000(1) ALD 9 (SC)